

DECLARATION FOR NON-PROVISIONAL PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 et seq. beneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

SEALED CARTRIDGE FOR MAKING A BEVERAGE

and for which a patent application is attached hereto

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION			
APPLICATION NUMBER	COUNTRY	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
99105596.3	European Patent Office	18 March 1999	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.


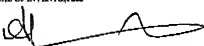
PROVISIONAL APPLICATION NUMBER	FILING DATE

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose information known to me which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

NON-PROVISIONAL APPLICATION NO.	FILING DATE	STATUS		
		PATENTED	PENDING	ABANDONED
PCT/EP00/01752	March 2, 2000		X	

* for use only when the application is assigned to a company, partnership or other organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

2	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
0	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
1	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY ZIP CODE
		Le Verger C	Granges	Switzerland 1614
	SIGNATURE OF INVENTOR 201			DATE
				September 11 2001
2	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
0	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
2	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY ZIP CODE
		ST-Legier-La-Chiesaz	Switzerland	France
		Ch. de la Rontiaz 2	ST-Legier-La-Chiesaz	Switzerland 1806
	SIGNATURE OF INVENTOR 202			DATE
				September 10th 2001
2	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
0	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
3	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY ZIP CODE
	SIGNATURE OF INVENTOR 203			DATE
2	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
0	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
4	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY ZIP CODE
	SIGNATURE OF INVENTOR 204			DATE
2	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
0	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
5	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY ZIP CODE
	SIGNATURE OF INVENTOR 205			DATE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: P. MASEK et al.

Application No.:

Group Art Unit:

Filing Date: Concurrently Herewith

Examiner:

For: SEALED CARTRIDGE FOR MAKING A
BEVERAGE

Attorney Docket No.: 88265-6550

**POWER OF ATTORNEY BY ASSIGNEE
AND EXCLUSION OF INVENTOR(S) UNDER 37 C.F.R. 3.71**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

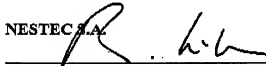
The undersigned assignee of the entire interest in the above-identified subject application hereby appoints Allan A. Fanucci (Reg. No. 30,256) of WINSTON & STRAWN (Customer No. 28765) to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith.

An assignment of the entire interest in the above-identified subject application is submitted herewith for recording and a copy is attached. The undersigned has reviewed this assignment and, to the best of his knowledge, title is in the assignee seeking to take action in this application and that he is empowered to act on its behalf.

ASSIGNEE:

NESTEC S.A.

Signature:



Date of Signature:

Sept 17, 2001

Typed Name:

Roman Vuille

Position/Title:

Assistant Vice President

Address:

Avenue Nestlé 55

1800 Vevey

Switzerland

ASSIGNMENT

COPY

WHEREAS, We,

Petr MASEK, a citizen of Switzerland, residing at Le Verger C
1614 Granges, Switzerland; and

Alfred YOAKIM, a citizen of France, residing at Ch. de la Routiaz 2, 1806
ST-Legier-La-Chiesaz, Switzerland

ASSIGNORS, are the inventors of the invention in **SEALED CARTRIDGE FOR
MAKING A BEVERAGE**, for which we have executed an application for a Patent of the
United States

☒ which is executed on even date herewith

☒ which is identified by Winston & Strawn Docket No. 88265-6550

WHEREAS, NESTEC S.A., a Swiss corporate body having a place of business at
Avenue Nestlé 55, 1800 Vevey, Switzerland, ASSIGNEE, is desirous of obtaining the entire
right, title and interest in, to and under the said invention and the said application.

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand
paid, and other good and valuable consideration, the receipt of which is hereby
acknowledged, we, the said ASSIGNORS, have sold, assigned, transferred and set over, and
by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its
successors, legal representatives and assigns, the entire right, title and interest in, to and under
the said invention, and the said United States application and all divisions, renewals and
continuations thereof, and all Patents of the United States which may be granted thereon and
all reissues and extensions thereof;

AND WE HEREBY authorize and request the Commissioner of Patents and
Trademarks of the United States, to issue the same to the said ASSIGNEE, its successors,
legal representatives and assigns, in accordance with the terms of this instrument;

AND WE HEREBY covenant and agree that we have full right to convey the entire
interest herein assigned, and that we have not executed, and will not execute, any agreement
in conflict herewith;

AND WE HEREBY further covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, and reissue applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention.

IN WITNESS WHEREOF, the undersigned inventors have affixed their signatures.

September 11, 2001
Date

Petr Masek
Petr MASEK

On this 11th day of Sep 11, 2001, before me appeared Petr MASEK, to me known and known to me to be the person of that name, who signed the foregoing instrument, and acknowledged the same to be his/her free act and deed.

11.09.2001
Date

J. Canell
Witness

September 10th
2001
Date

Alfred Yoakim
Alfred YOAKIM

On this 10th day of Sept, 2001, before me appeared Alfred YOAKIM, to me known and known to me to be the person of that name, who signed the foregoing instrument, and acknowledged the same to be his/her free act and deed.

10.09.2001
Date

J. Canell
Witness